

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Certain irregularities in the O/o. the D.E.O., Chittoor District – Disciplinary action initiated against Sri T.Chengaiah, the then D.E.O., Chittoor District and now retired – Article of charges framed – Written statement of defence submitted – Inquiry conducted – Disagreement of Inquiry report communicated – Reply submitted – Show cause notice issued – Explanation submitted – Imposition of the punishment of 5% cut in pension for a period of (6) months – Orders – Issued.

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EDUCATION [SE.Vig.I(2)] DEPARTMENT

G.O.Rt.No. 240

Dated: 25.3.2011

Read the following:-

- 1) Govt.Memo.No.533/Ser.I(2)/96-6, dated 28.11.1996.
- 2) Explanation of Sri T. Chengaiah, DEO, Nizamabad dated 23.10.1999
- 3) G.O.Rt.No.116, Edn [SE-Ser.I(2)] Dept, dated 15.3.2000.
- 4) From Dr. S. Ravi Kumar, DPL, Hyd Rc.No.DPL/2004, dated 10.6.2005.
- 5) From the DSE., Lr. Rc.No.67/C1-2/1995, dated 10.12.2008.
- 6) Govt. Memo.No.533/Vig.I(2)/96-21, dated 09.02.2009.
- 7) Explanation of Sri T.Chengaiah, DEO (Retd.), received through the C&DSE., Lr. Rc.No.67/C1-2/1995, dated 02.7.2009.
- 8) Govt. Memo.No.533/Vig.I(2)/96-23, dated 26.02.2010.
- 9) Explanation of Sri T.Chengaiah, DEO (Retd.), received through the C&DSE., Lr. Rc.No.67/C1-2/1995, dated 13.5.2010.
- 10) Govt. Letter No.533/SE-Vig.I(2)/1996-24, dated 15.7.2010.
- 11) From the Secretary, A.P.P.S.C., Hyderabad, Lr. No.1014/RT-I/3/10, dated 16.8.2010.

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ORDER:

Whereas, article of charges were framed against Sri T.Chengaiah, the then D.E.O., Chittoor District, vide reference 1<sup>st</sup> read above, on the allegations that while he was functioning as D.E.O., Chittoor has committed the following administrative irregularities:-

- (1) As per the report of the R.J.D.S.E., Cuddapah in Lr.Rc.No.5360/A4/95, dated 03.11.1995, the D.E.O. issued appointment orders to 48 direct recruits on 22.05.1995 drawn from District Selection Committee list and later entertained their request for change of place in the form of reappointment orders which is against the existing orders.
  - (2) As per the said report of the R.J.D.S.E., Cuddapah, the D.E.O. has effected transfers to 308 teachers and subsequently retained 104 teachers in their same places on the ground of keeping them near to their spouses and on domestic problems as the case may be.
  - (3) As per the said report of the R.J.D.S.E., Cuddapah the D.E.O. has granted recognition to the private schools without following the private schools without following the norms prescribed for grant of recognition.
2. After considering Written Statement of Defence of the Charged Officer in the reference 2<sup>nd</sup> read above, Government, vide reference 3<sup>rd</sup> read above, have appointed S. Ravi Kumar, Director, SIET., O/o. the C&DSE., A.P., Hyderabad as an Enquiry Officer to enquire into the above charges framed against Sri T. Chengaiah, former DEO, Chittoor. The Enquiry Officer in his report 4<sup>th</sup> read above has informed that the connected records / files relating to the DSC, 1995, and files relating to transfers of 308 teachers could not be traced out so far and therefore in the absence of the files relating to appointments, transfers and recognitions issued by Sri T. Changaiah, Accused Officer, the charges cannot be examined.
3. Government after careful examination of the entire material, observed that the Accused Officer has admitted that he has issued revised posting orders to 11 direct recruits. He has stated that there were no specific guidelines issued by the higher authorities for issue of posting / revised orders and therefore he entertained request of the selected candidates on

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domestic grounds for revised posting orders. The contention of the Accused Officer is not correct, as if, the appointing authority issues an appointment to the direct recruit, there is a fixed time limit of 45 days for the candidate to report for duty. The appointing authority cannot give any reappointment order, which amounts, if done, to modification of the earlier appointment order. Government further observed that G.O. Ms. No.130 Finance & Planning (FW.W&M-1) Department, dated 17.5.1995 is regarding lifting of ban for transfers. There is no provision in the said G.O. to retain the employees already transferred. Government also observed that the Accused Official has admitted that he has delayed in according recognition to the Private Schools and also accorded recognitions, subject to fulfilment of conditions. But, there is no provision in G.O.Ms.No.1, Education Department, dated 1.1.1994 for according recognition subject to fulfilment of conditions. Recognition orders shall be issued in Form-IV of G.O.Ms.No.1, Education Department, dated 1.1.1994 and as per sub rule (3) of Rule 9 of the said G.O., the time limit for according recognition is 3 months only and therefore hold that the charges are held proved.

4. Therefore, issued a notice in the reference 6<sup>th</sup> read above on Sri T.Chengaiiah, the then DEO., Chittoor District duly communicating a copy of the report of the Enquiry Officer and disagreement factors of the Government, directing him to submit his explanation if, any. In the reference 7<sup>th</sup> read above, Sri T.Chengaiiah, D.E.O. (Retd.) has submitted his explanation.

5. Government, have examined the explanation of charged official and observed that the Administrative irregularities are proved in the matter, and therefore provisionally decided to impose a penalty of 5% cut in his pension for a period of (6) months under Rule 9 of A.P. Revised Pension Rules, 1980, against Accused Official. Accordingly, a show cause notice has been issued in the reference 8<sup>th</sup> read above, directing Sri T.Chengaiiah, former District Educational Officer, Chittoor District and now retired, to show cause as to why the said punishment should not be imposed against him. In the reference 9<sup>th</sup> read above, Sri T.Chengaiiah, DEO (Retd.) has submitted his explanation.

6. The Secretary, A.P. Public Service Commission, Hyderabad, who was consulted in the matter, has informed in his letter 11<sup>th</sup> read above, that the Commission advised to exonerate the Charged Official, Sri T.Chengaiiah, DEO (Retd.), from the charges as neither the charge was proved nor the enquiry was completed with in the period of his retirement.

7. Government, after careful consideration of the entire matter in detail, have decided to confirm the provisional decision to impose the said punishment of 5% cut in his pension for a period of (6) months against Sri T.Chengaiiah, D.E.O. (Retd.), as the Administrative irregularities are proved, in the matter.

8. Now, therefore, in exercise of the powers conferred by Rule 9 of A.P. Revised Pension Rules, 1980, Government hereby impose a punishment of 5% cut in his pension for a period of (6) months against Sri T.Chengaiiah, the then D.E.O., Chittoor District and now retired, in the matter.

9. The Commissioner & Director of School Education, A.P., Hyderabad shall take further action, accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

Dr. D.SAMBASIVA RAO  
PRL. SECRETARY TO GOVERNMENT (SE)

To

Sri T.Chengaiiah, the then D.E.O., Chittoor District and now retired  
through the C&DSE., Hyd.

The Commissioner & Director of School Education, A.P., Hyderabad.

Copy to the Secretary, A.P.P.S.C., Hyderabad for information.

Copy to the Secretary to A.P.V.C., for information.

Copy to SF/SCs.

//forwarded by order///

SECTION OFFICER